

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

craigslist, Inc.,

NO. C 08-05067 JW

Plaintiff,

**ORDER CONTINUING CASE  
MANAGEMENT CONFERENCE**

v.

Paul Hubert,

Defendant.

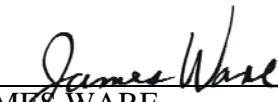
On October 19, 2009, the parties are scheduled to appear for a Case Management Conference. The Court notes that on October 6, 2009, Plaintiff filed a Notice of Voluntary Dismissal Without Prejudice of Todd Thompson Pursuant to Federal Rule of Civil Procedure 41(a). (Docket Item No. 40.) On October 8, 2009, Plaintiff filed a Certificate of Service indicating that a newly added Defendant, Paul Hubert, was served on September 28, 2009. (See Docket Item No. 42.) To date, Defendant Hubert has not responded to Plaintiff's Second Amended Complaint. Since under Fed. R. Civ. P. 12(a), Defendant has until October 18, 2009 to serve a responsive pleading, the Court finds that holding a Case Management Conference on the scheduled date would be premature.

Accordingly, the Court VACATES the October 19, 2009 Conference and orders as follows:

- (1) The parties shall appear for a Case Management Conference on **November 16, 2009 at 10 a.m.**
- (2) On or before **November 6, 2009**, the parties shall file a Joint Case Management Conference Statement. The Statement shall include, among other things, a good faith discovery plan with a proposed date for the close of all discovery.

Plaintiff shall serve a copy of this Order on Defendant and file the appropriate certificate of service.

Dated: October 15, 2009

  
\_\_\_\_\_  
JAMES WARE  
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Brian Patrick Hennessy [bhennessy@perkinscoie.com](mailto:bhennessy@perkinscoie.com)  
Elizabeth L. McDougall [EMcDougall@perkinscoie.com](mailto:EMcDougall@perkinscoie.com)  
3 Liling Poh [lpoh@perkinscoie.com](mailto:lpoh@perkinscoie.com)  
4  
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6 **Dated: October 15, 2009**

**Richard W. Wieking, Clerk**

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8 **By: /s/ JW Chambers**  
**Elizabeth Garcia**  
**Courtroom Deputy**  
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